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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,904	06/24/2003	David J. Schuessler	33915-03410	4886

27171 7590 11/29/2005

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NEW YORK, NY 10005-1413

EXAMINER
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MACKEY, JAMES P

ART UNIT	PAPER NUMBER
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1722

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/603,904

Applicant(s)

SCHUESSLER, DAVID J.

Examiner

James Mackey

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 6/20/2005; 7/15/2005; 9/27/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,21 and 39-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,21 and 39-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/27/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 39 and 43 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The original disclosure does not adequately describe the vent path as having a lip at an interior end, as is claimed in new claims 39 and 43.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1, 2, 4, 5, 21, 40-42 and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over British Patent Specification 1,271,785 (Figure 1) in view of any one of Payne

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(U.S. Patent 5,316,701; col. 5, lines 53-56), Pitavy et al. (U.S. Patent 4,764,322; col. 4, lines 38-41), Lemelson (U.S. Patent 4,285,903; Figs. 3-5; col. 5, lines 7-10 and 34-53; col. 6, lines 53-60) and Manchak, Jr. et al. (U.S. Patent 5,156,818; Figure 1; col. 5, lines 39-48; col. 7, lines 63-68).

British '785 (equivalent to DE 20 15 966, cited by Applicant) discloses a rotational molding system substantially as claimed, comprising a multi-axis rotational molding machine (page 3, lines 11-12) mounting a two-part mold 1a, 1b each mold part having a hemispherical cavity shape and cooperating to form a vacuum-tight seal along mating surfaces 3a, 3b, the interior of the mold inherently being "sized to allow for the thickness of a liner" (as claimed in claim 5); a vent path 6 extending into the mold cavity; a vacuum path fluidly connected to the vent path and leading to a vacuum source means 11; and a solvent removal path fluidly connected to the vent path and leading to a solvent separator/collector means 14, wherein the vacuum path means and the solvent removal path means are in part the same path means (as clearly shown in Figure 1). British '785 does not disclose a molding material feed path means fluidly connected to both the interior cavity and an exterior of the mold. Each of Payne, Pitavy et al., Lemelson and Manchak, Jr. et al. disclose a rotational molding system including a molding material feed path means fluidly connected to the mold cavity and an exterior of the mold for feeding the molding material into the mold cavity from an exterior supply. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify British '785 by providing a molding material feed path means, as disclosed in any one of Payne, Pitavy et al., Lemelson and Manchak, Jr. et al., in order to facilitate the supply of molding material into the mold cavity, and to enable automatic operation of the rotational molding system.

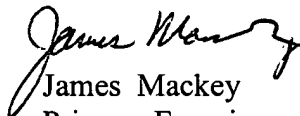
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With regard to the solvent collection means (or "solvent collection path") being a solvent condenser means (or "solvent condenser path") as claimed in claims 41 and 45, it would have been obvious to a skilled artisan (if not in fact intended) to have provided the solvent separator of British '785 as a condenser in order to perfect the separation of the solvent from the gases being removed from the mold cavity, especially considering that a condenser is a notoriously well known means for separating solvent vapors from a gas.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Mackey whose telephone number is 571-272-1135. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
James Mackey  
Primary Examiner  
Art Unit 1722

1/23/05

jpm  
November 23, 2005